

Judge John C. Coughenour

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	NO. CR05-0031
	)	
Plaintiff,	)	PRELIMINARY ORDER
	)	OF FORFEITURE
v.	)	
	)	
FINN W. CONTINI,	)	
	)	
Defendant.	)	
_____	)	

Pursuant to Rule 32.2, Federal Rules of Criminal Procedure, and based upon the guilty plea of FINN W. CONTINI to an Information charging him with conspiring to commit mail fraud in violation of Title 18, United States Code, Sections 371, 1341 and 1346 and money laundering in violation of Title 18, United States Code, Section 1957 and upon the plea agreement filed in this matter between Finn W. Contini and the United States, it is hereby

ORDERED, ADJUDGED and DECREED that pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982 (a)(1) and Title 28 United States Code, Section 2461(c), Finn W. Contini's interest in the following properties is forfeited to the United States of America:

- (a) 2003 Toyota Highlander;
- (b) 2001 Honda Civic;
- (c) Real property, together with its buildings, appurtenances, fixtures,

1 attachments and easements, located at 7323 NE Old Redmond Rd, Unit B3, Redmond, Washington,  
2 more particularly described as follows:

3 Unit 3, Building B, Manhattan Square, a Condominium, according to  
4 the Condominium Declaration recorded under recording number  
5 980213054 and amendments thereto, if any, and in Volume 122 of  
6 Condominiums, Pages 64 through 72, inclusive, in King County,  
7 Washington  
8

9 Parcel ID: 5071800030  
10

11 (d) Real property, together with its buildings, appurtenances, fixtures,  
12 attachments and easements, located at 7323 NE Old Redmond Rd, Unit D8, Redmond, Washington,  
13 more particularly described as follows:

14 Unit 8, Building D of Manhattan Square, a condominium and use of  
15 limited common elements, if any, recorded in Volume 122 of  
16 Condominiums, Pages 64 through 72, inclusive, according to the  
17 Declaration thereof recorded under King County recording  
18 no.950130548; and any amendments thereto.  
19

20 Parcel ID: 5071800080;  
21

22 (e) Real property, together with its buildings, appurtenances, fixtures,  
23 attachments and easements, located at 5245 238<sup>th</sup> Lane SE, Issaquah, Washington, more particularly  
24 described as follows:

25 Unit 3, building 9, Summerhill Village, a condominium, according to  
26 declaration thereof recorded under King County recording no.  
27 19990709000328, and amendment(s) thereto, Said unit is located on  
28

1 survey map and plans filed in volume 157 of condominiums, at pages  
2 62 through 70, records of King County, Washington

3 Subject to easements, reservations, covenants, conditions, restrictions and agreements  
4 of records, if any

5 Parcel ID: 807865-0510-05;

6  
7 (f) Real property, together with its buildings, appurtenances, fixtures,  
8 attachments and easements, located at 121 NW Bond St., Bend, Oregon, more particularly described  
9 as follows:  
10

11 The North half of Lots Five (5) and Six (6) in Block Seven (7) of  
12 Deschutes, in the City of Bend, Deschutes County, Oregon  
13 Parcel ID: 104339;

14 (g) All gold and silver coins, bars and nuggets listed in Attachment A and

15 (h) All currency and funds listed in Attachment A.  
16

17 IT IS FURTHER ORDERED that the United States Internal Revenue Service shall seize the  
18 above-described properties and maintain such seized properties in its custody and control until further  
19 order of this Court, or until this Order becomes final pursuant to Federal Rule of Criminal Procedure  
20 32.2(c)(2).  
21

22 IT IS FURTHER ORDERED that pursuant to Title 21, United States Code, Section 853(n),  
23 the United States shall publish notice of the Preliminary Order of Forfeiture and of the United States'  
24 intent to dispose of the properties in accordance with law. The notice shall run for one (1) day each  
25 week for three (3) consecutive weeks in the Daily Journal of Commerce and/or any other appropriate  
26 newspaper of general circulation. The notice shall state that any person, other than the defendant,  
27 having or claiming a legal interest in the properties described above must file a petition with the Court  
28

1 within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is  
2 earlier.

3 The notice shall advise such interested person that:

- 4 1. the petition shall be for a hearing to adjudicate the validity of the  
5 petitioner's alleged interest in such properties;
- 6 2. the petition shall be signed by the petitioner under penalty of perjury; and
- 7 3. the petition shall set forth the nature and extent of the petitioner's right,  
8 title or interest in the forfeited properties. The petition shall also set forth any  
9 additional facts supporting the petitioner's claim and the relief sought.  
10

11 The United States shall also, to the extent possible, provide direct written notice as a  
12 substitute for the published notice to any person known to have alleged an interest in the properties  
13 described above, that are the subject of this Preliminary Order of Forfeiture. Upon adjudication of  
14 any third-party claims, this court will enter a Final Order of Forfeiture pursuant to Federal Rule of  
15 Criminal Procedure 32.2(c)(2), in which all such claims will be addressed.  
16

17 IT IS FURTHER ORDERED that pursuant to Rule 32.2(b)(3), Federal Rules of Criminal  
18 Procedure, this Preliminary Order of Forfeiture shall become final as to the defendant at the time of  
19 sentencing and shall be made part of the sentence and included in the judgment. Based upon the plea  
20 agreement and the guilty plea entered by the defendant herein, the Court finds that the defendant had  
21 an interest in the forfeited properties. If no third party files a timely claim, this Order shall become  
22 the Final Order of Forfeiture as provided by Rule 32.2(c)(2), Federal Rules of Criminal Procedure.  
23

24 IT IS FURTHER ORDERED that after the disposition of any motion filed under Rule  
25 32.2(c)(1)(A), Federal Rules of Criminal Procedure, and before a hearing on any third party petition,  
26 discovery may be conducted in accordance with the Federal Rules of Civil Procedure upon a showing  
27  
28

1 that such discovery is necessary or desirable to resolve factual issues.

2 IT IS FURTHER ORDERED that the United States shall have clear title to the properties  
3 listed above following the Court's disposition of all third party interests, or, if none, following the  
4 expiration of the period provided in Title 21, United States Code, Section 853(n) for the filing of third  
5 party petitions.  
6

7 IT IS FURTHER ORDERED that the Court shall retain jurisdiction to enforce this Order,  
8 and to amend it as necessary, pursuant to Rule 32.2(e), Federal Rules of Criminal Procedure.  
9

10 //

11 //

12 //

13 //

14 //

15 //

16 //

17 //

18 //

19 //

20 //

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 //

1 The clerk of the Court is directed to send a copy of this Preliminary Order of Forfeiture to  
2 all counsel of record and twenty four (24) "raised seal" certified copies to the United States  
3 Attorney's Office in Seattle, Washington.  
4

5 DATED: This 7th day of June, 2005.

6   
7  
8 UNITED STATES DISTRICT JUDGE

9 Presented by:

10  
11 s/Katheryn Kim Frierson  
12 KATHERYN KIM FRIERSON  
13 Assistant United States Attorney  
14

15 s/Richard E. Cohen  
16 RICHARD E. COHEN  
17 Assistant United States Attorney  
18

19 s/Ralph Hurvitz  
20 RALPH HURVITZ  
21 Attorney for Defendant  
22

23 s/Finn W. Contini  
24 FINN W. CONTINI  
25 Defendant  
26  
27  
28

**Attachment A**

Three 10 ounce silver bars  
Thirteen 10 ounce silver bars  
Two hundred 1 ounce silver coins  
Two 1 ounce silver coins  
One 1 ounce silver coin  
Forty nine 1 ounce gold coins  
\$27,008.10 from Group Health Credit Union Account Number 110326  
\$6,000.00 US Currency from First Mutual Bank bag  
\$100.00 in US Currency from box with collector coins  
\$9,700.00 in US Currency from Brinks Box envelope  
\$79,000.00 in US Currency from Brinks Box  
Thomas Kinkade print  
\$5,000.00 cashier's check number 126427 from First Mutual Bank  
\$62,334.46 from First Mutual Bank Account Number 011-200336-03  
\$102.56 from First Mutual Bank Account Number 011-160031-08